



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/054,771 | 01/22/2002 | Bruce Loring Brown JR. | 03399P074 | 6248 |

26529 7590 01/18/2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN/PDC
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

LIN, KENNY S

ART UNIT PAPER NUMBER

2154

DATE MAILED: 01/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/054,771 | Applicant(s) BROWN ET AL. | |
| | Examiner Kenny Lin | Art Unit 2154 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 43-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 43-84 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 43-84 are presented for examination. Claims 1-42 are canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 43-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed et al (Reed), US 6,004,205, in view of Frietas et al (Frietas), US 2002/0049858.

4. Reed was cited in the previous office action.

5. As per claim 43, Reed taught the invention substantially as claimed including a method for operating an electronic mail server system having mailboxes associated with client devices (col.20, lines 65-67, col.21, lines 1-5), the method comprising:

- a. Receiving input to change a mailbox, the input comprising a request to change an organizational structure of the mailbox (col.5, lines 5-17, col.29, lines 36-38, col.43, lines 29-40, 44-47, col.44, lines 14-17);
- b. Making a change to the mailbox in response to the input (col.5, lines 5-19, col.29, lines 36-38, col.43, lines 29-40, 44-47, col.44, lines 14-17); and

- c. Pushing a message to a client device associated with the mailbox, the message comprising information about the change to the mailbox, wherein the information is used by the client device to synchronize a cached version of the mailbox stored locally in the client device with the mailbox prior to notifying a user of the change to the mailbox (col.5, lines 6-19, col.8, lines 38-43, col.9, lines 8-16, 44-47, col.12, lines 16-17, col.20, lines 51-64, col.21, lines 1-5, col.29, lines 36-38, col.37, lines 2-6, 36-40, col.39, lines 10-45, col.43, lines 1-15).

6. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

7. As per claim 52, Reed taught the invention substantially as claimed including a method for operating a client device, the method comprising:

- a. Receiving a pushed message (col.9, lines 8-16, 44-47, col.37, lines 33-36);
- b. Determining whether the message is a mail notification (col.36, lines 42-49, 51-53, col.37, lines 36-40); and
- c. If the message is a mail notification, then decoding the message to obtain message access protocol parameters; connecting to a mail server and synchronizing a cached mailbox stored locally in the client device with an associated mailbox

stored in the mail server, wherein the synchronizing comprises using the message access protocol parameters to determine a change made to an organization structure performed prior to notifying a user of the change; and notifying the user of the client device of the change (col.5, lines 6-19, col.8, lines 38-43, col.12, lines 16-17, col.20, lines 51-64, col.21, lines 1-5, col.29, lines 36-38, col.37, lines 2-6, 36-40, col.39, lines 10-45, col.43, lines 1-15).

8. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

9. As per claim 57, Reed taught the invention substantially as claimed including a method for operating a client device, the method comprising:

- a. Receiving a pushed message (col.9, lines 8-16, 44-47, col.37, lines 33-36);
- b. Determining whether the message is a mail notification (col.36, lines 42-49, 51-53, col.37, lines 36-40); and
- c. If the message is a mail notification, then decoding the message to determine a change made to the organizational structure of a mailbox stored in a mail server; and synchronizing a cached version of the mailbox stored locally in the client device with the mailbox prior to notifying a user of the change, wherein

synchronizing comprises updating the cached mailbox in response to decoding (col.5, lines 6-19, col.8, lines 38-43, col.12, lines 16-17, col.20, lines 51-64, col.21, lines 1-5, 34-42, col.23, lines 39-49, col.29, lines 29-38, col.37, lines 2-6, 36-40, col.39, lines 10-45, col.42, lines 18-29, col.43, lines 1-15).

10. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

11. As per claim 64, Reed taught the invention substantially as claimed including a electronic mail server system having a mailbox associated with a client device, the system comprising:

- a. A receiving mechanism to receive input to change a mailbox, the input comprising a request to change an organizational structure of the mailbox (col.5, lines 5-17, col.29, lines 36-38, col.43, lines 29-40, 44-47, col.44, lines 14-17); and
- b. A transmitting mechanism to push a message to a client device associated with the mailbox, the message comprising information about the change to the organizational structure of the mailbox, wherein the information is used by the client device to synchronize a cached version of the mailbox stored locally in the client device with the mailbox prior to notifying a user of the change to the organizational structure of the mailbox (col.5, lines 6-19, col.8, lines 38-43, col.9,

lines 8-16, 44-47, col.12, lines 16-17, col.20, lines 51-64, col.21, lines 1-5, col.29, lines 36-38, col.37, lines 2-6, 36-40, col.39, lines 10-45, col.43, lines 1-15, 29-40, 44-47, col.44, lines 14-17).

12. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

13. As per claim 73, Reed taught the invention substantially as claimed including a client device comprising:

- a. A receiving mechanism to receive a pushed message (col.9, lines 8-16, 44-47, col.37, lines 33-36);
- b. A processing mechanism to determine whether the message is a mail notification (col.36, lines 42-49, 51-53, col.37, lines 36-40);
- c. A decoding mechanism to decode the message if the message is a mail notification thereby to obtain message access protocol parameters (col.12, lines 16-17, col.23, lines 39-49, col.29, lines 29-38, col.37, lines 36-40, col.39, lines 10-45, col.42, lines 18-29, col.43, lines 1-15);
- d. A connection mechanism to connect to a mail server and synchronize a cached mailbox stored locally in the client device with an associated mailbox stored in

- the mail server, wherein synchronizing comprises using the message access protocol parameters to determine a change made to an organizational structure of the associated mailbox, wherein the connecting and synchronizing are performed prior to notifying a user of the changes (col.5, lines 6-19, col.8, lines 38-43, col.12, lines 16-17, col.20, lines 51-64, col.21, lines 1-5, col.29, lines 36-38, col.37, lines 2-6, 36-40, col.39, lines 10-45, col.43, lines 1-15); and
- e. A notification mechanism to notify the user of the client device of the changes (col.8, lines 38-43, col.12, lines 16-17, col.29, lines 36-38, col.37, lines 2-6, col.39, lines 10-45, col.43, lines 1-15).

14. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

15. As per claim 78, Reed taught the invention substantially as claimed including a client device comprising:

- a. A receiving mechanism to receive a pushed message (col.9, lines 8-16, 44-47, col.37, lines 33-36);
- b. A processing mechanism to determine whether the message is a mail notification (col.36, lines 42-49, 51-53, col.37, lines 36-40);

- c. A decoding mechanism to decode the message if the message is a mail notification thereby to obtain a change made to the organizational structure of a mailbox stored in a mail server (col.12, lines 16-17, col.23, lines 39-49, col.29, lines 29-38, col.37, lines 36-40, col.39, lines 10-45, col.42, lines 18-29, col.43, lines 1-15); and
- d. A synchronization mechanism to synchronize a cached version of the mailbox stored locally in the client device with the mailbox prior to notifying a user of the change, wherein synchronizing comprises updating the cached mailbox in response to decoding (col.8, lines 38-43, col.20, lines 51-64, col.21, lines 1-5, 34-42, col.37, lines 2-6, col.39, lines 10-45, col.42, lines 18-29, col.43, lines 1-15).

16. Reed did not specifically teach that the client device is wireless. Frietas taught that client devices can be wireless (pp. 0003, 0006-0007, 0022-0023). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Reed and Frietas because Frietas' teaching of using wireless client devices allows Reed's system to provide portable capabilities to users (pp. 0023).

17. As per claim 44, Reed and Frietas taught the invention substantially as claimed in claim 43. Reed further taught that the change in the organizational structure of the mailbox comprises storing new mail in the mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

Art Unit: 2154

18. As per claim 45, Reed and Frietas taught the invention substantially as claimed in claim 44. Reed further taught that the information comprises parameters required by a message access protocol, to be used by the wireless client device to synchronize by retrieving the new mail form the server (col.20, lines 54-64, col.21, lines 21).

19. As per claim 46, Reed and Frietas taught the invention substantially as claimed in claim 43. Reed further taught that the change in the organizational structure of the mailbox comprises a change to a mail folder structure of the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

20. As per claim 47, Reed and Frietas taught the invention substantially as claimed in claim 46. Reed further taught that the change to the mail folder structure of the mailbox comprises at least one of adding, removing, and renaming a folder in the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

21. As per claim 48, Reed and Frietas taught the invention substantially as claimed in claim 46. Reed further taught that the information comprises parameters required by a message access protocol, to be used by the wireless client device to synchronize by retrieving the change to the mail folder form the server (col.20, lines 54-64, col.21, lines 21).

22. As per claim 49, Reed and Frietas taught the invention substantially as claimed in claim 43. Reed further taught that further comprising checking whether the wireless client device is

Art Unit: 2154

subscribed to receive the message; and sending the message only if the wireless client device is so subscribed (col.5, lines 2-7, col.9, lines 8-16).

23. As per claim 53, Reed and Frietas taught the invention substantially as claimed in claim

52. Reed further taught that synchronizing further comprises retrieving new mail from the mail server, and updating the cached mailbox in response (col.20, lines 54-64).

24. As per claim 54, Reed and Frietas taught the invention substantially as claimed in claim

52. Reed further taught that synchronizing further comprises retrieving a change to a mail folder structure of the associated mailbox from the mail server, and updating the cached mailbox in response to the change (col.20, lines 54-64, col.21, lines 21).

25. As per claim 58, Reed and Frietas taught the invention substantially as claimed in claim

57. Reed further taught to further comprising: notifying the user of wireless client device of the change to the mailbox (col.8, lines 38-43, col.12, lines 16-17, col.29, lines 36-38, col.37, lines 2-6, col.39, lines 10-45, col.43, lines 1-15).

26. As per claim 59, Reed and Frietas taught the invention substantially as claimed in claim

57. Reed further taught that the change to the organizational structure comprises a change to a mail folder structure of the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

Art Unit: 2154

27. As per claim 60, Reed and Frietas taught the invention substantially as claimed in claim

59. Reed further taught that updating the cached mailbox comprises at least one of adding, removing, and renaming a folder in the cached mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

28. As per claim 61, Reed and Frietas taught the invention substantially as claimed in claim

57. Reed further taught that the change to the organizational structure comprises storing a new mail in the mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

29. As per claim 62, Reed and Frietas taught the invention substantially as claimed in claim

61. Reed further taught that updating the cached mailbox comprises storing the new mail in the cached mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

30. As per claim 65, Reed and Frietas taught the invention substantially as claimed in claim

64. Reed further taught that the change in the organizational structure of the mailbox comprise storing new mail in the mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

31. As per claim 66, Reed and Frietas taught the invention substantially as claimed in claim

65. Reed further taught that the information comprises parameters required by a message access

Art Unit: 2154

protocol, to be used by the wireless client device to synchronize by retrieving the new mail form the server (col.20, lines 54-64, col.21, lines 21).

32. As per claim 67, Reed and Frietas taught the invention substantially as claimed in claim 64. Reed further taught that the change in the organizational structure of the mailbox comprises a change to a mail folder structure of the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

33. As per claim 68, Reed and Frietas taught the invention substantially as claimed in claim 67. Reed further taught that the change to the mail folder structure of the mailbox comprises at least one of adding, removing, and renaming a folder in the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

34. As per claim 69, Reed and Frietas taught the invention substantially as claimed in claim 67. Reed further taught that the information comprises parameters required by a message access protocol, to be used by the wireless client device to synchronize by retrieving the change to the mail folder form the server (col.20, lines 54-64, col.21, lines 21).

35. As per claim 70, Reed and Frietas taught the invention substantially as claimed in claim 64. Reed further taught to comprise a checking mechanism to check if the wireless client device is subscribed to receive the message, the transmitting mechanism then operating to push the message only if the wireless client device is so subscribed (col.5, lines 2-7, col.9, lines 8-16).

36. As per claim 74, Reed and Frietas taught the invention substantially as claimed in claim 73. Reed further taught that synchronizing further comprises retrieving new mail from the mail server, and updating the cached mailbox in response (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

37. As per claim 75, Reed and Frietas taught the invention substantially as claimed in claim 73. Reed further taught that synchronizing further comprises retrieving a change to a mail folder structure of the associated mailbox from the mail server, and updating the cached mailbox in response to the change (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

38. As per claim 79, Reed and Frietas taught the invention substantially as claimed in claim 78. Reed further taught that a notification mechanism to notifying the user of the wireless client device of the change to the mailbox (col.8, lines 38-43, col.12, lines 16-17, col.29, lines 36-38, col.37, lines 2-6, col.39, lines 10-45, col.43, lines 1-15).

39. As per claim 80, Reed and Frietas taught the invention substantially as claimed in claim 78. Reed further taught that the change to the organized structure comprises a change to the mail folder structure of the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

Art Unit: 2154

40. As per claim 81, Reed and Frietas taught the invention substantially as claimed in claim 80. Reed further taught that updating the cached mailbox comprises at least one of adding, removing, and renaming a folder in the cached version of the mailbox (col.20, lines 54-64, col.21, lines 34-42, col.23, lines 39-49, col.29, lines 29-34, col.42, lines 18-29).

41. As per claim 82, Reed and Frietas taught the invention substantially as claimed in claim 78. Reed further taught that the change to the organizational structure comprise storing a new mail in the mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

42. As per claim 83, Reed and Frietas taught the invention substantially as claimed in claim 82. Reed further taught that updating the cached mailbox comprising storing a new mail in the cached mailbox (col.10, lines 29-34, col.21, lines 1-5, col.31, lines 45-50, col.32, lines 23-28).

43. As per claims 50, 55, 71 and 76, Reed and Frietas taught the invention substantially as claimed in claims 45, 52, 66 and 73. Frietas further taught that the message access protocol comprises the IMAP (pp. 0038, 0084).

44. As per claims 51, 56, 63, 72, 77 and 84, Reed and Frietas taught the invention substantially as claimed in claims 43, 52, 57, 64, 73 and 78. Frietas further taught that the message is sent using a SMS (pp. 0022).

Response to Arguments

45. Applicant's arguments with respect to claims 43-84 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

46. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

47. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

Art Unit: 2154

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl

January 9, 2006


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100